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JACKSON HEWITT INC. and TAX SERVICES OF AMERICA, INC.

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA

22 PIERRE BRAILSFORD and KEVIN) Case No.: C 06-00700 CW
23 GILMORE, individually and on behalf of all) CLASS ACTION
others similarly situated.)
24 Plaintiffs,) **STIPULATION AND PROPOSED ORDER**
25 vs.) **RE DISMISSAL OF PLAINTIFF KEVIN**
26 JACKSON HEWITT INC.; TAX SERVICES) **GILMORE AND DEFENDANT DOES 1**
27 OF AMERICA, INC.; DOES 1 through 100,) **THROUGH 100**
28 Defendants.)

1 It is hereby stipulated by the parties, through their respective counsel, as follows:

2 1. Kevin Gilmore has elected not to proceed as a plaintiff in this action. Consequently,
3 he is hereby dismissed as a named class representative, but will remain eligible to participate in the
4 class settlement, if it is approved by the Court.

5 2. Doe Defendants 1 through 100 remain unidentified. Consequently, these defendants
6 are hereby dismissed from this action.

7 3. The parties waive any claims for fees or costs against Plaintiff Kevin Gilmore and
8 Does 1 through 100.

9 Dated: January 9, 2007

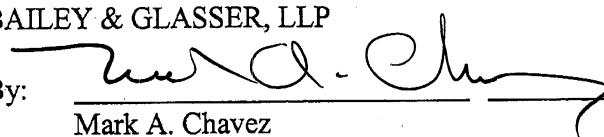
CHAVEZ & GERTLER LLP

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RONALD FREDERICK & ASSOCIATES CO., L.P.A.

BAILEY & GLASSER, LLP

By:


Mark A. Chavez

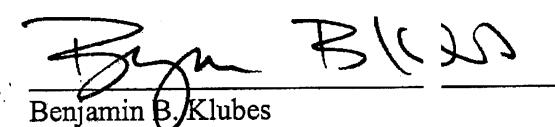
16 Attorneys for Plaintiffs

17 PIERRE BRAILSFORD and KEVIN GILMORE

18 Dated: January 9, 2007

SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP

20 By:


Benjamin B. Klubes

22 Attorneys for Defendants

23 JACKSON HEWITT INC. and TEXAS SERVICES OF
AMERICA, INC.

24 IT IS SO ORDERED.

1/11

25 Dated: 1/11, 2007

The Honorable Claudia Wilken

26 UNITED STATES DISTRICT COURT JUDGE



28 STIPULATION AND PROPOSED ORDER RE DISMISSAL OF PLAINTIFF KEVIN GILMORE AND DEFENDANT DOES 1
THROUGH 10 Case No. C 06-00700 CW